



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.co.mo.md.us/council](http://www.co.mo.md.us/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office to obtain current information.*

*This meeting will be televised live on Channel 6; repeated on 10/25/02 at 8 pm and 10/26/02 at 9 am*

### REVISED - new times for morning session:

**Tuesday, October 22, 2002**

9:30 **INVOCATION** - Rabbi David Shneyer, Am Koel, Rockville

9:35 **PRESENTATION** - Clean Water Month and Year of Clean Water Proclamation by Council President Silverman

9:40 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: October 8, 2002 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (McGuire)

(2) 9:45 **CONSENT CALENDAR**

A. **Introduction** - Resolution to authorize acquisition of units at the Chelsea Tower Project in Bethesda by Housing Opportunities Commission and to authorize County Executive to execute the necessary documents (Healy)

*PHED Committee worksession tentatively scheduled for 10/28/02 at 9:00 am.*

B. **Introduction** - Resolution to support the following projects for the State's Neighborhood Partnership Program: Rebuilding Together with Christmas in April; Literacy Council for Montgomery County; Community Bridges; and Pyramid Atlantic (Trombka)

C. **Introduction** - Special Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$99,500 for Parent Resource Center Services (Source: General Fund Reserves) (McMillan)

*Public Hearing is scheduled for 10/29/02 at 1:30 pm.*

D. **Introduction** - Resolution to approve Transfer Appropriation from the Future Federal, State, and Other Non-Departmental Account to the Department of Police for reimbursements from Federal Agencies (McMillan)

E. **Action** - Amendment to Washington Suburban Sanitary Commission's FY03-08 Capital Improvements Program: W-46.18, Newcut Road Water Main, Part 2, and W-46.21, Clarksburg Area Stage 3 Water Main, Part 3 (Levchenko)

*T&E Committee recommends approval.*

F. **Action** - Authority to grant Payment in Lieu of Taxes (PILOT) for affordable housing (Faden/Trombka)



(2) 9:45 **CONSENT CALENDAR** (continued)

- G. **Action** - Amendment to Washington Suburban Sanitary Commission's FY03-08 Capital Improvements Program and offsetting adjustments: Water and Wastewater Treatment projects (Levchenko)

*T&E Committee recommends approval with amendments.*

- H. **Action** - Special Appropriation to the MNCPPC's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program - \$373,000 for cost increases related to design and construction of the Black Hill Maintenance Facility (Source: GO Bonds and Paygo); and Transfer of funds - \$250,000 from the Bonifant Road Landfill Closure project to the Black Hill Maintenance Facility (Michaelson)

*PHED Committee recommendation will be available 10/17/02.*

- I. **Action** - Supplemental Appropriation to the County Government's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, Department of Housing and Community Affairs - \$500,000 for the Wheaton Pedestrian Improvement Program (Source: Federal Grant) (Trombka)

*PHED Committee recommendation will be available 10/17/02.*

- J. **Action** - Executive Regulation 4-02AM, Amendments to 2001 Personnel Regulations-Medical Standards and Administrative Procedure 4-2 on Classification (Davidson)

*MFP Committee recommends approval as amended.*

- K. **Action** - Special Appropriation to the County Government's FY03 Operating Budget, Department of Public Works and Transportation, Facilities and Services Division - \$236,000 for New Office Space for the Office of the Sheriff (Source: General Fund Reserves)(McMillan)

*PS/MFP Committee recommends approval with amendments.*

- L. **Action** - Confirmation of County Executive appointments to the Community Action Board: Sue Guenther; Mary S. Hill (Ferber)

- M. **Action** - Confirmation of County Executive appointment to the Upcounty Citizens Advisory Board: Kevin Schwartz (Ferber)

9:50 **LEGISLATIVE SESSION** Day #32

- A. Approval of Legislative Journal - September 24 and October 1, 2002 (Edgar)

- B. Introduction of Bills

- (3) • **Bill 35-02**, Nursing Homes - Family Councils, sponsored by Councilmember Ewing (Cogan)

*Public Hearing is scheduled for 12/3/02 at 1:30 pm.*

- (4) 9:55 **PRESENTATION** - Office of Legislative Oversight Memorandum Report 2002-5: Phase I Findings on Montgomery County's Head Start Program (Orlansky/Richards)

*HHS/ED Committee worksession tentatively scheduled for 10/24/02 at 9:00 am.*

10:45 **DISTRICT COUNCIL SESSION**

- (5) A. **Action** - Consideration of Hearing Examiner's Report and Recommendation of Local Map Amendment: (Wilson)  
Application No: G-799  
Applicant: CTG Oil, Inc. (Stanley D. Abrams, Attorney)  
Request: Reclassification from C-5 and Town Sector Zones to C-3 Zone (Optional Method)  
Property: Frazier Property, Parcels 742 and 770, north side of Walter Johnson Road, west of Middlebrook Road, Germantown (40,811 sq. ft; 9th Election District)  
Recommendations: Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Approve
- (6) B. **Action** - Zoning Text Amendment 02-21, Exemption provision - private schools on land owned or leased by a religious institution (Wilson)  
*PHED Committee recommends approval.*
- (7) C. **Action** - Zoning Text Amendment 02-13, Quarry Related Uses in R-200 Zone (Wilson)  
*PHED Committee recommends approval with amendments.*
- (8) 11:30 **ACTION** - Resolution to amend the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)  
*T&E Committee recommends approval with amendments.*
- 12:00 **RECESS**
- (9) 1:30 **PUBLIC HEARING - Emergency Bill 34-02**, Building Permits - Extensions (Faden)  
*T&E Committee worksession tentatively scheduled for 10/28/02 at 1:00 pm.*
- 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriations to receive Federal, State and Local Preparedness Grant (\$8,551,000) (Source: Federal aid): (McMillan)
- (10) • County Government's FY03 Capital Budget - 1) \$3,751,000 for the Emergency Operations Center (EOC) and Transportation Management Center (TMC) Co-location at the Emergency Communications (ECC) Center Project; and 2) \$2,000,000 for the Integrated Justice Information System (IJIS)  
*PS/MFP Committee recommends approval pending receipt of testimony.*
- (11) • County Government's FY03 Operating Budget - \$2,800,000 for Emergency Preparedness Initiative  
*PS Committee recommends approval pending receipt of testimony.*
- (12) 1:30 **PUBLIC HEARING** - Special Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$86,900 for Prevention Services (Source: General Fund Reserves) (Planell)  
*Action is tentatively scheduled for 10/29/02.*
- 2:00 **ADJOURN**
- 2:00 **INTERVIEW** - Executive's Appointee as Director, Office of Human Resources (Ferber)  
*(6th floor Council Conference Room)*

**NOTICE:** *The County Executive anticipates announcing his appointment of the Director of the Office of Human Resources on Monday, October 21. The County Council will interview the candidate on Tuesday, October 22, 2002 at 2:00 p.m. and anticipates scheduling confirmation of the appointment on Tuesday, October 29, 2002.*

### COUNCIL MEETINGS

**Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.**

Oct. 24, 2002	2:00 p.m.	Council Worksession - Housing Roundtable
Oct. 29, 2002	9:00 a.m.	Regular Session
Nov. 4-18, 2002		Council Recess
Nov. 5, 2002		General Election
Nov. 19, 2002	9:00 a.m.	Regular Session
Nov. 21, 2002	8:00 p.m.	Briefing for Elected Officials - State Transportation Program
Nov. 26, 2002	9:00 a.m.	Regular Session
Nov. 28, 2002		Thanksgiving Day - Holiday
Dec. 3, 2002	9:00 a.m.	Regular Session - Legislative Session
Dec. 10, 2002	9:00 a.m.	Regular Session
Dec. 16, 2002 thru Jan. 10, 2003		Council Recess
Dec. 25, 2002		Christmas Day - Holiday

### Public Hearings - To Testify call 240-777-7931

#### October 29, 2002

1:30 pm Special Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$99,500 for Parent Resource Center Services

#### November 26, 2002

1:30 pm Spending Affordability Guidelines for FY04 Operating Budget

#### December 3, 2002

1:30 pm Bill 35-02, Nursing Homes - Family Councils

**APPLICANTS SOUGHT FOR MERIT SYSTEM PROTECTION BOARD**  
**DEADLINE NOVEMBER 13, 2002**

The Montgomery County Council is accepting applications from qualified voters of the County for appointment to a three-year term on the Merit System Protection Board. Generally, the Board is expected to protect the Merit System and to protect employee and applicant rights guaranteed under the County Merit System.

The term of Board member Robert Hamilton will expire in December 2002. Mr. Hamilton has served two terms and is not eligible to serve another term. The appointee must be a Republican, or decline to affiliate with a party, or a member of another party officially recognized by the Board of Elections. By law, no more than two of the three members of the Merit System Protection Board may be of the same political party. Present Board members are Harold Kessler (Democrat), James McDaniel (Democrat), and Robert Hamilton (Republican). Accordingly, the appointee may not be a Democrat.

The County Merit System Protection Board's mission is to oversee the Merit System for the protection of employee's and applicant's rights guaranteed under the Merit System. There are two methods in which the Board processes appeals: 1) a written decision issued after a review and discussion of a written record; 2) a written decision issued after a pre-hearing conference and a formal hearing in cases involving a suspension, demotion or dismissal. The Board, on a periodic basis, conducts special studies, audits or inquiries of the administration of the merit and retirement pay systems and, in this effort, may compel the attendance of witnesses. Written reports of its findings and recommendations are filed with the County Executive and the County Council. The Board also provides comments on any proposed changes in the Merit System law or regulations.

The Board normally meets for approximately four hours in the evening once every two weeks. In addition, the Board holds hearings during the day, which can take the full day or be scheduled for the evening. Additional time is also required for preparatory work. Members of this Board receive \$6,590, which is adjusted annually to reflect 50% of the percentage change in the Washington Area Consumer Price Index.

The appointment is for three years. Section 403 of the County Charter states in part "...No member shall hold political office or participate in any campaign for any political or public office during the member's term of office."

Individuals interested in serving on the Merit System Protection Board should submit a letter, including a resume, expressing their interest in being considered for appointment to the Board to Council President Steven Silverman, Montgomery County Council, 100 Maryland Avenue, Rockville, Maryland 20850. Applications must be received in the Council office by 5:00 p.m. Wednesday, November 13, 2002.



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**Montgomery County Council**  
**Legislative Information Services**

***Packet Index***

***Tuesday, October 22, 2002***

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**Item Number**

**Note**

**Staff**

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Agenda Item #1

There were no petitions received in LIS this week.

McGuire